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Counsel for Plaintiffs and the Class

Counsel for Plaintiffs and the Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919 CW

**DECLARATION OF STEVE W. BERMAN IN
SUPPORT OF PLAINTIFFS' MOTION FOR
APPROVAL OF MANNER AND FORM OF
CLASS NOTICE**

Date: March 28, 2024
Time: 2:30 p.m.
Judge: Hon. Judge Claudia Wilken
Courtroom: 2, 4th Floor

1 I, STEVE W. BERMAN, declare as follows:

2 1. I am an attorney duly licensed to practice law before this Court in this matter. I am a
3 member of the Washington Bar, and I have been admitted to this Court *pro hac vice*. I am the managing
4 partner of Hagens Berman Sobol Shapiro LLP and counsel for Plaintiffs Grant House, Sedona Prince,
5 and Tymir Oliver in this matter. I submit this declaration in support of Plaintiffs' Motion for Approval
6 of the Manner and Form of Class Notice based on personal knowledge or discussions with counsel in
7 my firm regarding the matters stated herein, and if called upon, I could and would competently testify
8 thereto.

9 2. On February 7, 2024, Plaintiffs' counsel met and conferred with counsel for the NCAA
10 regarding Plaintiffs' class notice plan. Counsel for the NCAA informed Plaintiffs' counsel that the
11 NCAA does not maintain records that include the names and contact information of current or former
12 student-athletes, so the NCAA cannot provide Plaintiffs with class members' contact information.

13 3. On February 8, 2024, Plaintiffs' counsel sent counsel for the NCAA and the Conference
14 Defendants drafts of Plaintiffs' long-form notice and postcard notice. Plaintiffs' counsel also asked
15 counsel for the Conference Defendants whether the conferences maintain records that include the
16 names and contact information of current or former student-athletes.

17 4. On February 14, 2024, counsel for Defendants sent Plaintiffs a set of joint revisions to
18 the draft long-form notice and postcard notice. Their proposed revisions were incorporated into the
19 notice documents (including the long-form notice, postcard notice, and email notice).

20 5. On February 15, 2024, counsel for each of the Conference Defendants confirmed that
21 the conferences do not maintain records that include the names and contact information of current or
22 former student-athletes, so the Conference Defendants cannot provide Plaintiffs with class members'
23 contact information.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct. Executed this 20th day of February, 2024 at Seattle, Washington.

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4 /s/ Steve W. Berman
5 STEVE W. BERMAN
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